REDUCING CRIME AND IMPROVING CRIMINAL JUSTICE IN BRITISH COLUMBIA: RECOMMENDATIONS FOR CHANGE

Executive Summary

In 1995, British Columbia had one of the highest rates of crime in Canada. However, over the past ten years, crime rates in the province have been improving overall and for each of the major crime categories: violent crime; property crime; and other crimes.

British Columbia's relative position within Canada is improving, but it still lags behind the Canadian crime rate for all major categories. For example, British Columbia is still last among the provinces for drug-related offences although this may be a product of police enforcement activity rather than a measure of the actual amount of crime with respect to drugs. British Columbia's rate of total drug offences (607 per 100,000 population) is nearly double that of Saskatchewan (310 per 100,000), the next highest province.

British Columbia's 2005 total Criminal Code offence rate fell 14 percent from its 1995 rate, keeping pace with the drop in the nation as a whole. Similarly, British Columbia has kept pace with the overall rate of decline in property offences for the nation (down 27 and 29 percent, respectively), although the province still has the highest rate among all the provinces at 6,234 per 100,000 population (over 1.6 times the national rate of 3,738).

British Columbia's 2005 violent crime rate (1,214 offences per 100,000 population) has dropped 14 percent from its 1995 rate (1,411). Since 2001, British Columbia's violent crime rate has stabilized at just over 1,200 violent incidents per 100,000 population. As with other crime categories, British Columbia's violent crime rate is the third highest, behind Saskatchewan and Manitoba. It is notably higher than the national rate, which has been below 1,000 incidents per 100,000 population since 1997.

The Census Metropolitan Area (CMA) and municipal crime rates for Vancouver and Victoria, reflect, for the most part, the provincial trends. Property crime is down for both Vancouver and Victoria at the CMA level at -29 and -21 percent, respectively, keeping pace with the national reduction in property crime rates (down 25 percent). As with property offences, rates of violence at the CMA level shows Vancouver and Victoria as having strong reductions over the 1995 figures, with -21 and -31 percent, respectively, for 2004, the last year for which CMA data are available. Vancouver's total violent crime rate has been less than the provincial rate for each year since 1995.

Between 2004 and 2005, Vancouver is the most improved among Canadian CMAs with at least 500,000 population in the motor vehicle theft category, with a 13.4 percent reduction. Vancouver also evidenced a strong reduction in break and enters. Robbery rates also show Vancouver is improving although they remain well above many other provincial and CMA robbery rates. For the past four years, Vancouver CMA robbery rates were roughly double those for Victoria CMA. In 1995 the Vancouver CMA robbery rate was approximately 250 per 100,000, while the Victoria CMA and the national rates were 130 and 104 per 100,000 population, respectively. While the Canadian robbery rate has remained relatively stable since the mid-1990s, rates have declined for British Columbia and its major CMAs. Compared to Washington and Oregon, British Columbia's robbery rate is well above Oregon state (109 to 68 per 100,000), but similar

to Washington (92 per 100,000 population).

Homicide rates are the most reliable comparison point of all violent crime categories. Recent declines in the Pacific Northwest of the United States have narrowed the gap between those states and British Columbia and other provinces in Canada. For 2005, the Seattle Metropolitan Statistical Area (the unit most comparable to the Canadian CMA) has an identical homicide rate to Vancouver CMA at 2.9 incidents per 100,000 population. Oregon's homicide rate is similar to that of British Columbia (2.2 and 2.3 respectively). British Columbia's 2005 homicide rate is slightly above the national rate (2.0), but well below Manitoba (4.2) and Saskatchewan (4.3).

Public opinion polls (1997-2006) show that British Columbia and the West see crime as more of a problem than the Eastern provinces. This general feeling is supported by the most recent victimization data from the 2004 General Social Survey (GSS). Property crime is the primary type of crime in the minds of Canadians, and British Columbians specifically. Both public opinion polls and reported victimization rates are also reflected in the Uniform Crime Report (UCR) data.

In terms of individual characteristics, both victims of property-and personal-related crimes, and violent offenders, are well understood by analysts. The most active persons are at the highest risk of victimization. Urban populations are also more concerned about crime and more likely to be victimized. Each of these characterizations of risk for offending and victimization have been stable for the ten years reviewed in this report, and quite likely for some time before 1995 as well.

Aboriginal rates of victimization and involvement in criminal proceedings are notably higher than for non-Aboriginals. The overall criminal victimization rates reported in the 2004 GSS mirror those from the previous GSS in 1999, with Aboriginals reporting approximately three times as many victimization experiences than non-Aboriginals (31,900 versus 10,100 incidents per 100,000 population). Aboriginal populations tend to be over-represented in a number of socio-demographic characteristics that are associated with increased rates of both victimization and criminal involvement.

The general youth crime rates follow the general crime rate "drop" in the early 1990s. It is not clear if youth offending patterns changed or, perhaps more likely, whether police and Crown charging practices changed during this time. Nationally, youth charge rates are substantially higher than for adults, especially for property offences. Since 1993, the rates of property, violence and other crime charges involving youth are higher than any of the same categories for adults. However, charge rates are not the same as offence rates, the metric used in other analyses in this report. It is not possible from the aggregate data to discern if youth offence rates (which are not reported) are similar or not to the adult offence rates, although criminal justice practitioners and analysts tend to believe that this is indeed the case. Interestingly, charge rates for property and violent crimes are similar for both Aboriginal and non-Aboriginal youth.

Although Aboriginal ancestry is reported in only 3 percent of the population, Aboriginal people comprise 17 percent of all victims of homicide. Similarly, where the ethnicity of the offender

is known, Aboriginals are charged in over 20 percent of homicides.

A number of factors have been identified as possible explanations for the unequal rates of involvement as both victims and offenders across the major crime categories. Aboriginal populations are younger, have higher unemployment rates and lower incomes, and have lower levels of educational attainment. There is also evidence of a trend for Aboriginal children living in urban areas to be from single parent households more frequently (46 percent) than non-Aboriginal children (18 percent).

There are two ways in which British Columbia's crime and victimization rates may be further reduced: (i) by identifying and tackling the primary causes of crime in the province; and (ii) by identifying and correcting the inefficiencies in the provincial criminal justice system that may, directly and indirectly, be contributing to criminal activity.

According to the individuals consulted for this study, and various reports and other literature, there are four primary causes of crime in British Columbia (i.e., key factors underlying criminal behaviour):

(i) Widespread substance abuse (both drugs and alcohol) and the activities of the criminal business organizations involved in the illegal drug trade that, in part, feed substance abuse;

(ii) Defective and/or deficient childhood development practices;

(iii) Mental disorder, including cognitive impairments such as brain injuries and fetal alcohol spectrum disorder; and,

(iv) The impoverished and unstable lifestyles experienced by many individuals living in inner urban areas, many of whom are chronic, repeat offenders addicted to drugs and alcohol.

Of all the problems and challenges facing the criminal justice system in the province, three primary clusters stand out. These clusters of problems were consistently identified by the individuals consulted for this report, regardless of where they were working within the criminal justice system:

(i) The apparent failure of the criminal justice apparatus to ensure that offenders face the consequences of their behaviour. Examples include:
- A failure to hold offenders to account when they breach the conditions of their probation and other orders;
- A failure to provide appropriate supervision of those sentenced to community based dispositions (e.g., community service orders), or who are given a conditional sentence;
- Lenient sentencing, or at least a widespread perception that the courts in British Columbia are generally easier on offenders than their counterparts in the rest of Canada and especially in neighbouring jurisdictions.

(ii) A failure to guarantee the speedy and fair disposition of cases once an offender is identified, to ensure that justice is swift, sure and effective. For example, the processing of offenders, especially from arrest to final court disposition, is cumbersome and extraordinarily bureaucratic. There appear to be two particularly challenging bottlenecks: the

approval of charges by Crown Counsel following the arrest of an individual by the police; and, the number of Provincial Court appearances that are required before a case is disposed of.

(iii) The problem of inter-agency and inter-ministry barriers and disorganization (the silo, or separate solitudes, problem). This is a major challenge in British Columbia not only within the criminal justice system but also with respect to the intersection between the system and other related systems such as health and social services.

If these challenges can be addressed successfully there will be a major and positive impact upon the criminal justice system and, in all probability, eventually upon the rates of crime and victimization in the province.

To this end, this report contains five recommendations.